

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

DYLIA L. WHITE,

Petitioner,

v.

SECRETARY OF THE DEPARTMENT
OF HEALTH AND HUMAN SERVICES,

Respondent.

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No. 12-362V

Special Master Christian J. Moran

Filed: August 29, 2013

Attorneys' fees and costs; stipulation
of fact; award in the amount to
to which respondent does not object

David C. Richards, Christensen and Jensen, P.C., Salt Lake City, UT, for Petitioner;
Debra Filteau Begley, United States Department of Justice, Washington, D.C., for Respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

Respondent filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter on August 27, 2013. Previously, Ms. White informally submitted a draft application for attorneys' fees and costs to respondent for review. Upon review of petitioner's application, respondent raised objections to certain items. Based on subsequent discussions, petitioner amended her application to request \$28,600.00, an amount to which respondent does not object. The Court awards this amount.

Ms. White filed for compensation alleging that she was injured by the influenza vaccine she received on September 24, 2009. Ms. White received compensation based upon the parties' stipulation. Decision, filed June 10, 2013. Because Ms. White received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Ms. White seeks a total of **\$28,600.00** in attorneys' fees and costs for her counsel. Additionally, in compliance with General Order No. 9, Ms. White states that she incurred no out-of-pocket litigation expenses while pursuing this claim. Respondent has no objection to the amount requested for attorneys' fees and costs.

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

After reviewing the request, the Court awards a check made payable to petitioner and petitioner's attorney in the amount of **\$28,600.00** for attorneys' fees and other litigation costs. The Court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.